

Minutes
Nebraska Judicial Resources Commission
January 8, 2007

The Nebraska Judicial Resources commission met on January 8, 2007, in Room 1525 of the State Capitol Building in Lincoln, Nebraska with remote sites in Omaha, Hastings and Scottsbluff. Members present: McCormack, O'Neal, Brodbeck, Bishop, Parker, Rodgers, Sipple, Hoarty, Kuzma, Neesen, McQuillin, Furse, Morgan and Harnett. Absent: Moran, Chaloupka and Smith.

The purpose of the hearing was to consider requests for additional judges or changes in boundary lines of any judicial district.

The meeting was called to order by Justice McCormack. It was moved and seconded that the minutes of the previous meeting be approved. The motion carried.

McCormack moved and Brodbeck seconded that the Commission request that the Legislature form a committee to study judicial district boundaries. Following discussion on the motion, McQuillin moved that the motion be amended to provide that the Commission request the Nebraska State Bar Association to study judicial district boundaries. Bishop seconded the friendly motion. McCormack and Brodbeck both accepted the friendly amendment. Further discussion was had on the amended motion. The motion passed with all members present voting yes.

Evidence was adduced regarding a request to recommend to the Legislature that it create an additional Juvenile Court judgeship in the 3rd Judicial District. Harnett moved and O'Neal seconded that the Commission recommend to the Nebraska Legislature that an additional Separate Juvenile Court judgeship be created in the 3rd Judicial District of the State of Nebraska. Discussion was had on the motion and the motion carried with all present voting yes.

Judges from the Douglas County Court appeared by telephone and informed the Commission that they wish to withdraw their request for the creation of a new County Court judgeship for Douglas County.

Discussion was then had on the request to create an additional County Court judgeship in Lancaster County. O'Neal moved and Hoarty seconded that the Commission recommend to the Legislature that the vacancy in the 12th County Court Judicial District be moved from that district and placed in the 3rd Judicial District in Lancaster County, Nebraska. Discussion was had on the motion. The motion carried with McCormack and Rodgers abstaining and all others present voting yes.

Discussion was then had on a request to move any future vacancy in the 12th District Court Judicial District to the 9th Judicial District. Parker moved that in the event that a vacancy occurs in the District Court of the 12th Judicial District that that vacancy be moved to the 9th Judicial District. The motion failed for lack of a second.

At this time Rodgers and Hoarty absented the meeting.

Morgan moved and Neesen seconded that the Commission take no action on a request to transfer any future vacancies in the 12th Judicial District District Court to the 9th or 2nd Judicial District. The motion carried with all present voting yes except Parker, who abstained.

Following further discussion, Sipple moved and McQuillin seconded that the Commission recommend to the Legislature that new district judgeships be created in the 3rd Judicial District, 2nd Judicial District and 9th Judicial District. Discussion was had on the motion and all present voted yes with the exception of Bishop who abstained.

Judge Evans appeared before the Commission and withdrew his request that the judicial districts be redrawn.

Further discussion was had and Brodbeck moved and McCormack second that the Commission recommend to the Legislature that an additional district judgeship be created in the 7th Judicial District of the State of Nebraska. No recommendation with regard to siting was made. The motion carried with all present voting yes.

There being no further business before the Commission, a motion was made to adjourn. The motion was seconded and carried.

Respectfully Submitted,

A handwritten signature in black ink, reading "Alan I. Brodbeck". The signature is written in a cursive, slightly slanted style.

Secretary